

et al. or Crossman teach this feature. In fact, it acknowledges that they do not or at least that Shirai et al. does not (page 3, last paragraph).

The JP '253 Abstract merely teaches a way of preventing a brake pedal hold lock from being released due to the battery running down. But that is not the same as maintaining the lock mechanism in an actuated state upon termination of the braking force instruction that provides for the transmission of a control signal to the parking brake mechanism for actuation or release.

Thus, even if, solely for argument's sake, the teaching of Shirai et al. could have been combined with those of JP '253 and Crossman, the resulting hypothetical device would not be that set forth in Claim 15. Consequently, a *prima facie* case of obviousness has not been made out. Likewise, Claims 28-30 are patentable for similar reasons.

Accordingly, early and favorable action is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #056203.52940US).

December 12, 2007

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